IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 10475 of 2004

Between:
Modamamba Cultural Welfare Association,
Drivers Association Building, Paderu,
Visakhapatnam District rep. By its
President Peela Ramesh s/o. late Tata Rao,
R/o. Behind Lakshmi Silk House,
Main Road, Paderu, Visakhapatnam district.

.....
PETITIONER

AND

1) The Circle Inspector of Police,
   Paderu Circle, Visakhapatnam district
2) The Station House Officer, Paderu P.S.
   Visakhapatnam district.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in interfering with the lawful activities of the petitioner association premises as illegal, arbitrary and without jurisdiction and consequently direct the respondent for-bearing from interfering obstructing the petitioner cultural association conducting the card room where the members and guests of the petitioner cultural centre are allowed to play the game of rummy with stakes syndicate (13 card game).

Counsel for the Petitioner: Mr.M.VISWANADHAM

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following ORDER :

This writ petition is filed by the petitioner-Association aggrieved by the action of the respondents in interfering with its lawful activities such as maintaining card room for playing rummy.

2. At the time of hearing, it is represented that the matter is covered by a judgment of this Court reported in **TWIN CITIES CINEMA CULTURAL CENTRE Vs. COMMISSIONER OF POLICE, ANDHRA PRADESH, HYDERABAD AND OTHERS** (W.A.No.1167 of 2002)[1] and therefore, sought for similar order.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

4. In *Twin Cities Cinema Cultural Centre case, a* Division Bench of this Court passed the following order:

> "……. the police authorities cannot obstruct the writ petitioner-Club from conducting card room where the members and guests of the writ petitioner's cultural center are allowed to play the game of rummy with stakes/syndicate (thirteen card game). At the same time, we make it clear that the police is always at liberty to enter the premises and check as to whether the cultural center of the Club is conducting card room where the members and guests of petitioner's cultural center are playing the game of rummy with stakes/syndicate (thirteen card game) for the purpose of verification. If they receive any intimation, the police may enter the club and verify the same and proceed further if the members and guests of writ

petitioner's cultural center play other than the game of rummy with stakes/syndicate (thirteen card game). The police authorities are also at liberty to proceed with the cases, which are already registered. The writ appeal is disposed of accordingly."

5. Following the said order, the writ petition is disposed of in the same terms.

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24.06.2004

VA/ES

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1) The Circle Inspector of Police,
   Paderu Circle, Visakhapatnam district
2) The Station House Officer, Paderu P.S.
   Visakhapatnam district.
3) 2 CCs to G.P. for Home, High Court Buildings,
   Hyderabad (OUT)
4) 2 C.D copies

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[1] 2002(5) ALT 805